

April 13, 2006



U.S. Department  
of Transportation

400 Seventh Street, S.W.  
Washington, D.C. 20590

**Pipeline and  
Hazardous Materials  
Safety Administration**

DOT-SP 7951  
(NINTH REVISION)

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: (See individual authorization letter)
2. PURPOSE AND LIMITATION:
  - a. This special permit authorizes the transportation in commerce of certain aerosols containing Division 2.2 materials, with a charge pressure not exceeding 150 psig at 75°F when shipped in a refrigerated state. This special permit provides no relief from any Hazardous Materials Regulations (HMR) other than as specifically stated herein.
  - b. The safety analyses performed in development of this special permit only considered that hazards and risks associated with transportation in commerce.
  - c. Unless otherwise stated herein, this special permit consists of the special permit authorization letter issued to the grantee together with this document.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR 173.306(b)(1), 175.3, except as specified herein.
5. BASIS: This special permit is based on the application of ConAgra Foods dated April 15, 2005, submitted in accordance with § 107.109 and supplemental information dated April 12, 2006.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Compressed gas, n.o.s.	2.2	UN1956	N/A

7. SAFETY CONTROL MEASURES: Prescribed packaging is a non-refillable metal container conforming to the requirements of a DOT Specification 2P except as follows:
- a. Each can is equipped with rim-venting release (RVR) device or dome expansion device designed to relieve at not less than 175 psig and not over 210 psig.
  - b. One out of each case lot of 10,000 cylinders or less must be pressure tested to destruction. Failure at pressure below 175 psig and over 210 psig or failure occurring at other than the RVR device or dome expansion device will reject the lot. A case lot is defined as a lot of cylinders of the same size and design and built to the same specification by one manufacturer only.
  - c. In lieu of the marking required by § 178.33-9(a)(1), each container must be marked "DOT-SP 7951."
  - d. The maximum charge pressure allowed at 75°F is 150 psig.
8. SPECIAL PROVISIONS:
- a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

- b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.
- c. Containers must be packed in strong outside containers conforming with § 173.301(a)(9). Each outside package must be legibly marked "THIS SIDE UP" or "THIS END UP", as appropriate, to indicate the upward position of the inside packaging.
- d. Packagings permanently marked 'DOT-E 7951', prior to October 1, 2007 may continue to be used under this special permit for the remaining service life of the packaging or until the special permit is no longer valid. Packagings marked on or after October 1, 2007 must be marked 'DOT-SP 7951'.
- e. Shipping papers displaying 'DOT-E 7951' may continue to be used until October 1, 2007, provided the special permit remains valid.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle, rail freight, cargo vessel, cargo aircraft only, and passenger aircraft.
10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each cargo vessel, aircraft or motor vehicle used to transport packages covered by this special permit. The shipper must furnish a current copy of this special permit to the air carrier before or at the time the shipment is tendered.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
  - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

- o Registration required by § 107.601 et seq., when applicable.

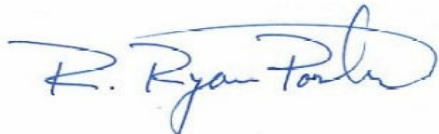
Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:

A handwritten signature in blue ink, appearing to read "R. Ryan Porter", is written over a horizontal line.

for Robert A. McGuire  
Associate Administrator  
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at [http://hazmat.dot.gov/sp\\_app/special\\_permits/spec\\_perm\\_index.htm](http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm) Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: sln

**4/13/2006**

<b>Company Name City / State</b>	<b>Application Date</b>	<b>Issue Date</b>	<b>Expiration Date</b>
Alamance Foods, Inc. Burlington, NC	Apr 12, 2006	Apr 13, 2006	Jan 31, 2010
ConAgra Foods (formerly ConAgra Dairy Foods) Naperville, IL	Apr 15, 2005	May 09, 2005	Mar 31, 2007
Gay Lea Foods Co-operative Ltd. Guelph, ON	Jun 05, 2005	Aug 05, 2005	Mar 31, 2007
Morningstar Foods, LLC (a wholly owned subsidiary of Dean Foods Company, LLC) Murray, KY	Jun 27, 2005	Sep 13, 2005	Mar 31, 2007